
**BEFORE THE DIVISION OF SECURITIES
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH**

IN THE MATTER OF:

Temporary residents of Utah displaced
by Hurricane Katrina

EMERGENCY ORDER

Dated: September 15, 2005

Docket No. SD-05-0069

Overview

The Utah Division of Securities is issuing an emergency order to facilitate the ability of securities professionals and customers displaced by Hurricane Katrina to continue conducting securities business while temporarily located in Utah.

ORDER

WHEREAS, on August 29, 2005, Hurricane Katrina caused catastrophic damage and flooding in the states of Louisiana, Mississippi, and Florida, resulting in significant displacement of residents of those states; and

WHEREAS, several hundred displaced residents have been evacuated to Utah and will be housed in Utah on a temporary basis; and

WHEREAS, on September 3, 2005, Utah Governor Jon M. Huntsman, Jr. declared a state of emergency to facilitate Utah efforts to welcome and care for evacuees from Hurricane Katrina

("evacuees"); and

WHEREAS, the Utah Division of Securities wants to ensure that the evacuees who are temporary residents of Utah will not be disrupted in conducting any securities business that otherwise might be prohibited due to requirements of the Utah Uniform Securities Act; and

WHEREAS, the Utah Uniform Securities Act authorizes the Division to issue orders implementing the purposes of the Act (§61-1-24(1)(a)); and

WHEREAS, the Division finds that issuance of this Order is in the public interest, for the assistance and protection of investors, and consistent with the purposes of the Act;

NOW THEREFORE, The Division adopts this Order permitting evacuees residing in Utah to conduct securities business that would have been permitted and lawful in the home state of the evacuee, without requiring compliance with the licensing, registration, and notice requirements of the Utah Uniform Securities Act.

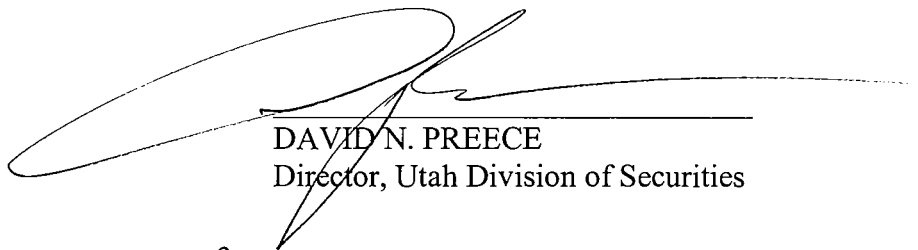
This order is subject to the following conditions:

1. Home State Compliance Required Securities professionals who have been evacuated to Utah or who are serving customers evacuated to Utah, and who are not licensed with the Division to buy or sell securities or give investment advice in Utah, may continue serving the securities needs of their customers temporarily residing in Utah without becoming licensed in Utah. When serving these customers, the professionals are required to conduct all securities business in or from Utah in compliance with the laws of the home state of the licensed professionals and in compliance with the laws of the home state of

each customer. No new customers may be solicited or served in Utah without complying with the Utah Uniform Securities Act.

2. Notice by Professionals Securities professionals temporarily located in Utah, due to the effects of Hurricane Katrina, and their employing broker-dealers or investment advisers, must give written notice of their temporary residence in Utah within two weeks of beginning to conduct securities business from a location in Utah.
3. Exempt Securities Securities or transactions that would qualify for exemptions from registration in the home state of the evacuee will be considered exempt in Utah if there is full compliance with requirements of the law in the home state.
4. Additional Waivers The Division will consider additional waivers of the requirements of the Act upon request and may issue separate orders addressing individual circumstances caused by Hurricane Katrina.
5. Expiration The permissions granted by this Order will expire on the date each professional or evacuee departs temporary residence in Utah. This Order expires on December 31, 2005. The Division will consider adopting additional orders after that date, based on application and a demonstrated need.

DATED This 15 day of September, 2005



DAVID N. PREECE
Director, Utah Division of Securities